



**City of YUMA**

**CITY OF YUMA  
REGULAR CITY COUNCIL MEETING SUMMARY  
COUNCIL CHAMBERS – YUMA CITY HALL  
ONE CITY PLAZA, YUMA, ARIZONA  
WEDNESDAY, NOVEMBER 17, 2010  
5:30 P.M.**

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**CALL TO ORDER 5:30 P.M.**

**INVOCATION**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

**FINAL CALL** for submission of Speaker Request Forms

**PRESENTATIONS**

- Recognition of volunteers and partners involved in the “Spruce Up Your Park” efforts at Sunrise Optimist Park

**I. CALL TO THE PUBLIC**

Members of the public may address the City Council on matters that are not listed on the City Council agenda. The City Council cannot discuss or take legal action on any matter raised unless it is properly noticed for discussion and legal action. At the conclusion of the Call to the Public, individual members of the City Council may respond to criticism made by those who have addressed the City Council, may ask staff to review a matter or may ask that a matter be placed on a future agenda. All City Council meetings are recorded and videotaped.

NO LEGAL  
ACTION  
PERMITTED

## II. MOTION CONSENT AGENDA

All items listed on the Motion Consent Agenda will be considered and enacted with one motion. There will be no separate discussion of these items unless a Councilmember so requests. In which event, the item will be removed from the Motion Consent Agenda and the vote or action will be taken separately.

**A.** Approval of minutes of the following City Council meeting(s):

No minutes submitted for approval at this time

**B.** Approval of Staff Recommendations:

**Page Item**

1. Executive Sessions may be held at the next regularly scheduled Special Worksession, Regular Worksession and City Council Meeting for personnel, legal, litigation and real estate matters pursuant to A.R.S. § 38-431.03 Section A (1), (3), (4), and (7). (City Attorney)

**APPROVED 2. Liquor License: Lion's BBQ & Tacos**

Approve a New Restaurant (#12) Liquor License application submitted by Jose Ramirez Leon, agent for Lion's BBQ & Tacos, LLC dba Lion's BBQ & Tacos, 712 S. 4th Avenue, Suite C, Yuma, Arizona. (LL10-19) (City Administration/City Clerk) (Lynda Bushong)

**APPROVED 3. Liquor License: The Nineteenth Hole Plus One**

Approve an Interim Permit and New Beer & Wine Bar (#7) Liquor License application submitted by James Ralph Herring, agent for The Nineteenth Hole Plus One, LLC, dba the 19th Hole Plus One, 475 W. 32nd Street, A-8 and H-2, Yuma, Arizona. (LL10-20) (City Administration/City Clerk) (Lynda Bushong)

**APPROVED 4. Bid Rejection: Janitorial Supplies**

Reject all bids for Janitorial Supplies (Citywide - Bid #2011000084)

**APPROVED 5. Bid Award: Yuma Main Canal Shared-Use Pathway Extension**

Award to the lowest responsive/responsible bidder for Yuma Main Canal Shared-Use Pathway Extension at a total cost of \$438,509.78 to: DPE Construction, Inc., Yuma, Arizona. (Yuma Crossing National Heritage Area - Bid # 2011000138) (Charles Flynn)

**APPROVED 6. Ratification: Cooperative Purchasing Agreement: Arizona State Contract**

Authorize Staff to ratify and continue to purchase Industrial Supplies & Equipment through a cooperative purchasing agreement with Arizona State Contract originated by Western States Contracting Alliance with: W. W. Grainger, Phoenix, Arizona.  
(Bid #2006000412 - Citywide)

**APPROVED 7. Cooperative Purchase Agreement: Homeland Security & Disaster Assistance Equipment**

Authorize Staff to continue to purchase Public Safety Equipment through a cooperative purchase agreement originated by U. S. Communities Government Purchasing Alliance (U.S. Communities). The contract has been in effect for three (3) years and the City's Public Safety departments have now exceeded the \$50,000.00 threshold for purchases. The contract was awarded to the following vendor: Hagemeyer North America, Charleston, South Carolina. (Bid #2007000679 - Police and Fire Department) (Chief Geier and Chief McArthur)

**APPROVED 8. Intergovernmental Agreement: Yuma Union High School District No. 70**

Authorize execution of an Intergovernmental Agreement with Yuma Union High School District No. 70 for the 2010-2011 School Safety Program for one year. (Police/Patrol) (Jerry Geier)

**APPROVED 9. Intergovernmental Agreement: Joint Multi-Jurisdictional Integrated Public Safety System**

Authorize the City Administrator to execute an Intergovernmental Agreement with the County of Yuma for the joint procurement/lease, maintenance, operation and use of a Multi-Jurisdictional Integrated Public Safety 800/700 Megahertz Radio System, Video and Photo System, Data System and Emergency 911 System. (City Administration) (Gregory K. Wilkinson)

**APPROVED 10. Preliminary and Final Plat: La Tierra Subdivision**

Approve the preliminary and final plat of the La Tierra Subdivision. The properties are located at the southwest corner of Avenue C and the Central Drain. The applicant is Core Engineering Group, PLLC, on behalf of Rosjon Real Estate & Investment, LLC. (S2008-001-01R). (Community Development/Community Planning) (Laurie Lineberry)

**APPROVED 11. Final Plat: Desert Oasis Subdivision, Unit #1**

Approve the final plat of the Desert Oasis Subdivision, Unit #1, subject to the conditions set forth as numbers 1 - 10, with the replacement condition #7 as recommended by the Planning and Zoning Commission and City staff. The property is located at the southeast corner of Avenue 7E and 36th Street. The applicant is Dahl, Robins, and Associates, on behalf of the Yuma Desert Land, LLC. (S2010-003-01) (Community Development/Community Planning) (Laurie Lineberry)

**SUGGESTED MOTION: To approve the MOTION CONSENT AGENDA as recommended:**

M/\_\_\_\_\_ S/\_\_\_\_\_ VV/\_\_\_\_\_

**III. RESOLUTION CONSENT AGENDA**

All items listed on the Resolution Consent Agenda will be considered and enacted with one motion. There will be no separate discussion of these items unless a City Councilmember so requests or a Speaker Request Form has been submitted. In which event, the item will be removed from the Resolution Consent Agenda and the vote or action will be taken separately.

**ADOPTED A. Resolution R2010-60 Worker's Compensation Benefits for Designated Volunteer Positions**

Authorize City of Yuma volunteer positions to be treated as City employees for the purpose of workers' compensation coverage and benefits under the Workers' Compensation Act of the State of Arizona, and designate the Director of Human Resources to keep a current list of the names of volunteers. (Human Resources) (Jack Dodd)

**ADOPTED B. Resolution R2010-62 Declaration of Public Record: Yuma West Wetlands Documents**

Declare as public record certain documents for the granting of a powerline easement to the Yuma County Water Users' Association, abandoning portions of 9th Avenue, 11th Avenue and 12th Avenue rights-of-way for use as rights-of-way, and establishing a restrictive covenant on 11.16 acres of land within the Yuma West Wetlands and ordering three copies to remain on file with the City Clerk. (City Administration/Yuma Crossing National Heritage Area) (Charles Flynn)

**ADOPTED C. Resolution R2010-64 November 2, 2010 Special Election Canvass**

Adopt the official canvass of the November 2, 2010 City of Yuma Special Election. (City Administration/City Clerk) (Lynda Bushong)

**ADOPTED D. Resolution R2010-65 2011 Charter Review Committee**

Establish a City of Yuma 2011 Charter Review Committee. (City Administration) (Gregory K. Wilkinson)

**SUGGESTED MOTION: To adopt the RESOLUTION CONSENT AGENDA as recommended:**

**M/**\_\_\_\_\_ **S/**\_\_\_\_\_ **RV/**\_\_\_\_\_

**IV. ADOPTION OF ORDINANCES CONSENT AGENDA**

All items listed on the Ordinances Consent Agenda will be considered and enacted with one motion. There will be no separate discussion of these items unless a City Councilmember so requests or a Speaker Request Form has been submitted. In which event, the item will be removed from the Ordinance Consent Agenda and the vote or action will be taken separately.

**ADOPTED A. Ordinance O2010-56 Zoning Code Text Amendment: Design and Historic Review Commission Member Term Length**

Amend the City of Yuma Zoning Code, Title 15, Chapter 154, Section 02.04 B to change the term length of the Design and Historic Review Commission members from three years to five years. (Z2010-010) (Community Development/Community Planning) (Laurie Lineberry)

**ADOPTED B. Ordinance O2010-57 Zoning Code Text Amendment: Landscape Review Board**

Approve the Zoning Code Text Amendment to amend Title 15, Chapter 154, Sections 02 and 20, to remove the text that requires the Landscape Review Board. The applicant is the City of Yuma. (Z2010-011) (Community Development/Community Planning) (Laurie L. Lineberry)

**ADOPTED C. Ordinance O2010-58 Property Acquisition: 8th Street at 14th Avenue**

Authorize the acquisition of property for a traffic signal installation located at 8th Street and 14th Avenue (City Engineering/Administration) (Paul Brooberg)

**ADOPTED D. Ordinance O2010-59 Right-of-Way Acquisition: 32nd Street**

Authorize the acquisition of right-of-way for 32nd Street improvements at Avenue B. (City Engineering/Administration) (Paul Brooberg)

**ADOPTED E. Ordinance O2010-60 Declare Surplus and Authorize Sale of Real Property**

Declare as surplus and authorize the sale of a real property remnant at 3198 South Avenue B. (City Engineering/Administration) (Paul Brooberg)

**SUGGESTED MOTION: To adopt the ORDINANCES CONSENT AGENDA as recommended:**

M/\_\_\_\_\_ S/\_\_\_\_\_ RV/\_\_\_\_\_

**V. INTRODUCTION OF ORDINANCES**

The following ordinance(s) is presented to the City Council for introduction. No vote or action by the City Council is necessary. However, the City Council may, at its option, vote or take action where appropriate. Ordinances given introduction are generally presented to the City Council for adoption at the next Regular City Council meeting.

**INTRODUCED A. Ordinance O2010-61 Rezoning of Property: 4450 W. 8th Street**

Rezone properties from the Agriculture (AG) District to the Residential Estate (RE-18) District. The applicant is the City of Yuma on behalf of the Thacker Family Trust dated 11-1-1990. (Z2008-023) (Community Development/Community Planning) (Laurie Lineberry)

**INTRODUCED B. Ordinance O2010-62 Zoning Code Text Amendment: Clarify Requirements for Cluster Box Mail Units**

Amend the City of Yuma Subdivision Code, Title 15, Chapter 153, Sections: 31(A) Preliminary Plat Information, 47(A) Final Plat Information, and Section 62 Utilities, to clarify the requirements for cluster box mail units. (Z2010-012) (Community Development/Community Planning) (Laurie Lineberry)

**INTRODUCED C. Ordinance O2010-63 Zoning Code Text Amendment: Pool at Large Day Cares**

Amend the City of Yuma Zoning Code, Title 15, Chapter 154, Sections: 05.02 (E.5), 05.03 (E.3), 05.04 (E.1), 06.01 (D.4), 06.03 (D.3), 06.04 (D.3), 07.01 (E.1), 07.03 (E.4) and 08.01 (D.6) Conditional Uses; to allow a swimming pool onsite for Large Day Cares if the pool is in compliance with the State of Arizona Pool Safety Codes. (Z2009-024R). (Community Development/Community Planning) (Laurie Lineberry)

**VI. PUBLIC HEARINGS & RELATED ACTIONS**

**222. A. Annexation Area No. A2010-006: Yuma Pacific Avenue LLC**

**PUBLIC  
HEARING  
HELD**

This is a public hearing to consider the annexation of a property generally located at the southeast corner of Pacific Avenue and 16th Street. (A2010-006)(Presentation by Laurie Lineberry) (Community Development/Community Planning) (Laurie Lineberry)

**VII. SUMMARY OF PAST YEAR MEETINGS AND EVENTS**

**REPORTED**

Councilmembers McClendon and Beeson will report on meetings/events that they participated in throughout the past year.

**VIII. APPOINTMENTS, ANNOUNCEMENTS AND SCHEDULING**

Discussion and possible action on the following items:

1. Appointments:

- *Charter Review Committee*

**APPOINTMENTS  
MADE**

2. Announcements:

REPORTED

- City Council report on meetings/events attended – City Council report on issues discussed in meetings/events attended by a City Council representative in their official capacity as the City's representative during the period of November 4, 2010 through November 17, 2010. City Council questions regarding the update must be limited solely for clarification purposes. If further discussion is warranted, the issue will be added to a future agenda for a detailed briefing.
- City Council report of upcoming meetings.
- City Council request for agenda items to be placed on future agendas.

3. Scheduling: Motion to schedule future City Council meetings pursuant to Arizona Revised Statutes Section 38-431.02 and the Yuma City Code, Chapter 30.

## IX. SUMMARY OF CURRENT EVENTS

REPORTED

This is the City Administrator's opportunity to give notice to the City Council of current events impacting the City. Comments are intended to be informational only and no discussion, deliberation or decision will occur on this item.

## X. EXECUTIVE SESSION

EXECUTIVE  
SESSION NOT  
HELD

An Executive Session may be held during this meeting to discuss pending Legal/Personnel/Real Estate matters. An Agenda will be posted 24 hours in advance.

### **ADJOURNMENT - 6:34 P.M.**

In accordance with the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973 the City of Yuma does not discriminate on the basis of disability in the admission of or access to, or treatment or employment in, its programs, activities, or services. For information regarding rights and provisions of the ADA or Section 504, or to request reasonable accommodations for participation in City programs, activities, or services contact: ADA/Section 504 Coordinator, City of Yuma Human Resources Department, One City Plaza, PO Box 13012, Yuma, Arizona 85366-3012; (928) 373-5125 or TTY (928) 373-5149.